# THE PITTSBURG DISPATCH.

CARE OF CRIMINALS,

Well-Known Pittsburgers Discuss the Advisability of a Penal Colony.

A DIVERSITY OF OPINION.

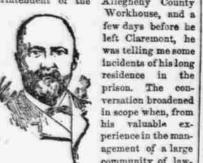
Superintendent Warner Favors It and Cites Local History.

WARDEN WRIGHT IS OPPOSED TO IT.

Thomas M. Marshall Would Make the Repeaters Work or Starve.

JUDGE EWING SEES DANGER IN THE PLAN

Just after Henry Warner resigned as Superintendent of the Allegheny County



breakers, Mr. Warper commenced to point out the benefits nd disadvantages of our present policy in aling with criminals. So far as the presat penal system goes, he said, county and State prisons are as nearly perfect as they can be. Carload after carload of prisoners come to Claremont from the two cities of Pittsburg and Allegheny, day in and day ut. They must be kept out of the way of

society, and they must be kept for nothing. The system of convict labor had been the ntcome of this. That question has been thrashed over and over again, and to some extent has righted itself, but out of it all as been evolved the present method of ceping these horder of offenders. The workhouse, its shops, its farm and the routine of peaceful life there, all speak for themselves, Mr. Warner assumed. As far as the law permits, he thinks, the managew-breakers has been successful.

The Defect Mr. Warner Sees. ut our penal system has one fatal de- there are "repeatet," continued Superintendent Warner, and the future generation will have that to of that to remedy. It may be illustrated by the case of that prisoner you see over yonder."

We were sitting on the lawn in front of the workhouse. The convict the Superintendent pointed out was pushing a wheelbarrowful of beards. Back of him was a squad of men, and only one guard was in charge of them all. "That prisoner has been serving terms in the workhouse for the nast nine years." Mr. Warner resumed nine years," Mr. Warner resumed. These terms have varied in length from he has made every Warden Wright.
To to twelve months each. He was genersent here for some of the more common hes, such as disorderly conduct, fight-petty thieving, or, perhaps, for the serious grades of crime, such as barry, stabbing or the like. No doubt in y instance he was sentenced to the usual tof the law but in a conversitively.

A Contented and Happy Man Now, this prisoner, who has been sen

with a new-comer. We have scores of other prisoners like him. Some have been re-

esters for more than nine years; others for

Coming under our strict discipline so

enced time after time during nine years. bears the record of being one of our best-bears the record of being one of our best-behaved inmates. He works diligently, obeys cheerfully, and, to all appearances, is contented and happy. At any rate, he is of some use to his fellow-men here, for we keep him employed at honest toil, and in many of his duties he actually contributes to the sustenance of the other 700 prisoners. "But when he is free, when he is among society at large, he will not work, refuses to obey the law, becomes discontented and un-happy, and is of no use to his fellow-man. On the contrary, he becomes a pest to society as well as dangerous to the public welare. I submit to you in all reason, when but man is a cheerful laborer here, when he bears the record of being one of our best be-haved and most useful men, why should he e sent back into the open world at all? If had a horse who is not fractious, but who and feed, would it not be wrong for me to send him adrift into some barren sand field, there to stay until he becomes wild and hungry? In other words, should not that pris-

From the outer world? If he is only useful and happy and good under restraints, then keep him isolated all the time unkindness to him as well as a blessing for so-My idea is that it is cruel to the man himself to send him away from a place where he works well and lives decently. In the world at large he is unable, either from total deprayity or from mental weakness, to live pencefully or successfully. While he is away from this prison his life is a miserable debauch, and he is the one, perhaps, who suffers most by it. He never knows happiness when he has freedom. But here he is cheerful and easy to manage. Look at him

lawn I saw that the prisoner was alone. The squad had retired, and nowhere was a guard in sight. Oddly enough he was whistling gayly to himself, and vigorously trudged here and there with his wheel-barrow. A freight train was passing on the West Penn Railroad below, but the nineyear "repeater" showed not the slightest osition to jump it and escape. Mr. Warner continued:

### Send Them to an Island.

"Ah, every time that man came back here on a sentence I felt that he should never have been allowed to go back into the world. Apparently the only success he is capable of is behind these high walls. For such men and women I would advise a new neual system in the United States. I would ment take charge of them, and where the have served three or more terms of imprisonment, transport them to some isolated apol-say an island-and there let them live raduate out of a prison-house there by good and teach them to be some use to themthem altogether, and isolate them from gen eral society forever. My word for it, they will be the happier and the world at large

support prisoners here in this workhouse, surrounded by populous Allegheny county, for something like 37 cents a day, I think \$1 a day would certainly cover all the support of prisoners on an island, who every year would approach nearer and nearer self-extent of the law, but in every case prisoners are not reconsidered after the term ends now. For a second offense the sentence should be the full extent of the law, but in every case prisoners support. In the general benefit to society, should be permitted to receive privileges

in the lessening of police, court and prison expenses locally, the national expense could be easily borne.

"This is a hard thing to say, I know.

"This is a hard thing to say, I know.

Mankind will not thank you for telling it
that there are some from whom liberty
should be withheld. But I have seen these
peculiar people for many years, and have
tried to think of every phase of treatment
for them, and it seems to me that grouped
off to themselves in some secluded place
they might live better lives. I see no
other way."

Nearly a week after the foregoing conversation with Mr. Warner, the following news
item appeared in the news columns of The
DISPATCH:

"Hello, Roger," exclaimed an elderly, fine-looking woman, yesterday afternoon, as she reached out her hand to the big Superinten-dent of Police, at Central station. Her hame is Bridget M. Morris, and she had just re-turned from the workhouse and was shak-ing hands with Inspector McAleese and the detectives.

workhouse in the last workhouse in the hast workhouse in the making of me. I'd been sakes, it's been the making of me. I'd been dend long ago fit wasn't for the works. It just builds a person up."

"Suppose you'll have to celebrate to-night, and we'll have you here in the morning," remarked Inspector McAleese.

On Her Way Back Already. "Not yet," replied the woman, "although I did get a good drink this afternoon. Eve got plenty of friends. Judge Gripp's a got plenty of friends. Judge Gripp's a friend of mine. Why, last time he only gave me 30 days."

With that she toddled off and Inspector McAlesse said he did not believe there was any doubt that she would be in a cell before morning. "She always celebrates when she gets out and we give her five days to jail and then next time we usually return her to the works."

The stray news item was a striking con-firmation of ex-Superintendent Warner's statement. Would such an individual as described therein be reclaimed entirely by

the transport system?
It was an interesting field for thought. To encourage its discussion I stated the substance of Mr. Warner's theory to Hon. Thomas Ewing, Thomas M. Marshall, Esq., Warden Wright, of the Penitentiary; George A. Kelley, President of the Penitentiary Inspectors, and to W. D. Moore, Esc.

Esq.

I requested their views on the subject.
W. D. Moore replied orally that he believed a penal island, or colony, impracticable. Mr. Kelley was unable to spare time to write his views.

The replies of the other gentlemen are given below:

WARDEN WRIGHT'S VIEWS.

The Head of the State Penitentiary in Allegheny Argues That a Penal Colony is

Criminals of a far more dangerous type than those found at Claremont fill the cells and workshops of Riverside Peni-

tentiary in Allegheny City. Yet ers" at the penitentiary also. The Warden of this prison, Captain Edward & Wright, has spent a score of years and more in the management of

response to the request for his views on what Mr. Warner terms a defect in our

nit of the law, but in a comparatively penal system, will be read with interest. The Warden's communication is as follows: and we him than sof other and sof other habitual criminals be banished to a penal have, perhaps, less trouble with him than colony, to be established under control of the general Government. The remedy, seems to me, is worse than the "defect" our present penal system, to which he re-fers, and is alike unwise, impracticable and counter to the trend of civilization.

Object of Criminal Legislation

The object sought is the diminution in crime; to be reached by curing the criminal or by diminishing the number of convictious by long terms of imprisonment. To reach the entire subject legislation is needed to secure uniform administration of justice, and prisons should be so graded and classified that corricilla offenders who had a support to the control of the fied that corrigible offenders may be helped in their efforts to a better life. Criminals are usually termed accidental or professional, as the facts seem to indicate.

An accidental offender, who has committed a crime under impulse of sudden passion poverty or sore temptation, as a rule striver to obey all prison rules, is anxious for use ful employment and desirous of earning al not alone for spresent gain, but because he really hopes to make his first sentence the only one in his life. A professional criminal rarely evinces shame at his imprisonment, and his status in crime is quickly recognized by those who are accustomed to the habits and language or special phrases used by such men. Very few who are criminals by heredity or incorrigibility, ever withdraw from the life and habits of early days. Their lives are hard and they are to be pitied as fallen men, who often find in prison the best life they ever knew. Many inmates of the various institutions are only guilty of petty crimes when drunk yet they are so confirmed in vicious prac tices when able to secure liquor that there seems no other form of treatment than the one intended for confirmed criminals; in one of Mr. Warner's reports he defines the remedy as "permanent retirement for those who spend repeated terms in prison is best

The Cost of the Two Plans

While the facts in the case demand cernot reached proportions requiring change in all the remedial legislation of the past 70 years. The cost of a penal settlement, on an island, presumably in some distant sea, would far exceed the maintenance of such as may be deemed habitual criminals in a prison like the admirable institution at Claremont. There, or wherever they are within reach of friends, and under inspec-tion of many, and not of few officials, life may be gloomy, but not all sorrow, and the treatment, at all events, will not be barbarous. I do not believe it is seriously proous. I do not believe it is seriously proposed to enter upon a system whose records reek with barbarity. Do we so soon forget the horrors of the Siberian prisons of Russia, or the penal colonies of Great Britain, France and Spain? Before it is seriously discussed, I hope that all who are interested in the subject will seek exact information when the whole the colonies of them. on the matter; when they do this, I am per-suaded the verdict will be in the language of Archbishop Whitely, who declared trans-portation "a system begun in defiance of all reason, and continued in defiance of all ex-

perience."
I believe that all sentences to imprison ment should be steadily cumulative, and shall briefly outline my theory. The term of sentence for an offender supposed to be in custody for a first crime shall be left to will be the happier and the world at large all the better.

"I am aware the leading objection to such a plan would be the supposed expense that would attach to it. If I have been able to correction, no matter whether the term of court in which the sentence was imposed has

The Indefinite Term Idea.

All third-term or habitual criminals should be sentenced indeterminately, that is without time, and not be subject to release or parole until the maximum term for a second crime has been served, and only then if he has given evidence of true reformation. Even then he should be held as in legal custody and be subject to return to prison for relapse into crime, so that he is in fact a prisoner for life. But hope of release from confinement within walls should be possible for all prisoners. In my judgment even life prisoners should have the boon of conditional release after imprisonment of say 16 years; in some countries this is already recognized for life prisoners.

Every person should be permitted—most people would say, should be compelled—to earn the cost of his food, clothes and medicines. After paying this I would think it wise and humane to permit any surplusto be paid to the family or dependent relations, without deduction of costs of prosecution, as that practically takes all. If he has no one needing his help it should be saved as a fund for his personal benefit when discharged, and even then only disbursed in small sums until expended. Released prisoners need help until able to start for themselves; but many need to be kept aware of the fact that they are only entitled to the privileges of a common manhood, and after a very brief period must look to their own labor for future support.

EDWARD S. WRIGHT. for for future support.

EDWARD S. WRIGHT.

MR. MARSHALL'S APPROVAL. He Would Isolate a Hardened Crimina Give Him Ground, Tools and a Pail of

> isolation would offer substitute for hanging, for in-

stance, was one of the questions which 'Glorious Old Tom" would talk about. And he did. He said to me:

"Our penal system to-day is rotten. For great many years I have been an advocate of the colony plan. In the Pacific Ocean are a number of islands so completely iso-lated that they would serve such a purpose admirably. Suppose a man commits a crime—possibly murder. Don't hang him, and if it is his first offense, make his punishment lenient. We are all liable to sudden passion. When evil is done thereby, take the man in his soberer moments and point out to him the great gulf at the edge of which he stood. It will cure him, and the probabilities are that he will not commit murder again. First offenses should always be dealt kindly with.

"But if he does kill a second time then he

"But if he does kill a second time then he should be put away forever where he will never have the opportunity to endanger a law-abiding people. Perhaps he may be rich. If so let the Court set aside his property and fortune for the benefit of his wife and children, or, better still, divide it equally between his family and the family of some dead man. Then take that man, be he rich or poor, transport him to ene of these isolated islands, apportion him off a plot of ground, give him a set of tools and a pail of seed, then tell him to scratch and live for himself or else die, but give him to understand that he must stay there.

stand that he must stay there. A Case in Point. "The notorious Ed Coffee, the Pittsburg murderer, was a type of the class of men I dissatisfied with the makeup of this world.
Society did not suit him as it existed, and
he rebelled. Instead of hanging him I
would have said: 'You don't like the way things are run here, therefore we will not have you stay longer.' Isolated from general society, and among people of his stamp, the chances are he would have had some chance to improve his life thereafter. Put away somewhere where there are no laws and among a lot of desperadoes, many of whom were more dangerous than himself, he would have very soon recognized the necessity of making laws, and preserving them, too. He would have to do so for selfprotection. This is the history of penal colonies heretofore tried. Look at Austra-lia and New Zealand, for example—civilized countries peopled with good citizens, the

Lincoln's Reconstruction Policy. "After the War of the Rebellion That Stevens, Henry Winter Davis and others said that Abe Lincoln was all wrong in his theory of Reconstruction. Henry Winter Davis, Thad Stevens and others argued like Davis, I had Stevens and others argued like this: We will not receive back Virginia as a State, or South Carolina as a State, or North Carolina as a State, because they are not States. A State is formed of territory and loyal citizens. The citizens of Virginia, South Carolina or North Carolina must first satisfy us of their loyalty before we can re-

eeive them back as States."

"And just in the same way I would govern a penal colony of the United States. Iso-late these criminals of two or more offenses as so many disloyal citizens. Say to them as a colony: 'Whenever you satisfy us of as a colony: Whenever you satisfy us of your loyalty you are welcome to ditizenship and participation in the Government, but not until then. It is manifest that with such liberality in policy the penal experiment would result in no second Siberia. "Expensive? No, it could not approach the present expensive indicial system of the

the present expensive judicial system of the country. Just think of what the operations country. Just think of what the operations in you Court House this single day are cost-ing the county of Allegheny," and Mr. Marshall paused in the interview, as he pointed from his office window to the massive building of granite across Diamond

A Few Figures on Courts

"Serving at this very hour in the variou "Serving at this very hour in the various courts over yonder are 150 jurors and witnesses," he continued, impressively. "Each receives \$2 per day, or \$300 for this day alone. There is a Sheriff getting a salary of \$5,000 per annum, who is allowed 22 deputies at good salaries. In a short time there will be 11 judges sitting there each receiving \$6,000, or \$60,000 a year for the judges. Add to that the rate of interest on the \$2,000,000 invested in those big buildings and you have some idea of what the administration of the law is costing the country. Sir, the expense of the judicial system to-day is sapping at the vitals of the ystem to-day is sapping at the vitals of the "A colony system would certainly reduce

these heavy expenses. The benefits to so-ciety would be so great that whatever ex-penses would attach to a colony would be cheerfully paid, and eventually the prisonmr. Marshall is also a believer in the public whipping post for some of the smaller grades of offenses, as he demonstrated in this illustration from his vast experience in legally dealing with the vast experience in

legally dealing with the darker side of soniety, and as told in his characteristic way: A Case for the Whipping Post. "Saturday afternoon Bill spends his meager earnings of the week in some low dive," said Mr. Marshall. "He gets drunk and quarrelsome, and finally tries to whip a cronie of the barroom, but he's too tipsy and gets whipped himself. Full of revengeful, ugly feelings, he staggers home. There he sees Nancy and the children. He knows he can whip Nancy and not get hurt,

Continued on Tenth Page.

and reductions granted as a reward for good DR. BRIGGS' BELIEFS

Are Very Hard to Understand From His Recent Utterances. IF HE SUSTAINS THE STANDARDS

He Had a Queer Way of Saying Se in His Inaugural Address.

NOT BRAVE ENOUGH FOR A HERETIC

Now that the General Assembly of the reat Presbyterian Church in America has uttered its voice, and the obstreperous Dr. Briggs has had its yeto placed upon his ap-pointment to the Chair of Biblical Theology in the Union Theological Seminary, it may be a relief to the readers of THE DISPATCH ous tension over the startling revelations brought to the knowledge of the vulgar populace in connection with the Sir Gordon-Cummings-Prince of Wales baccarat scandal, to be informed of the real nature of the

Briggs matter and the causes which have led up to the present untoward results. Here, then, is the case in as few words as I can possibly put it, and at the same time give any intelligent presentation

Give Him Ground, Tools and a Pail of Seed, and Tell Him to Scratch for a Living or Else Starve.

The views of Hon Thomas M. Marshall, the criminal lawyer, on the question of a better penal system, will be read with a deceptably filling the Chair of "Hebrew and Cognate Languages" in the same institution. By his studious methods and fluent pen he had won for himbe read with a degree of curiosity. It is well known that he is opposed to capital punishment.

Just to what extent, therefore, Mr. Warner's theory of penal

> To me his criticisms seemed thoroughly reasonable and scriptural, and, I am free to confess, facilitated me in forming my conclusions as to the imperative need of a change in many particulars in the authorative statements of Presbyterian belief. For many years a growing conviction had taken possesion of my mind that the Westminster divines were very fallible in their judgments and exceedingly harsh and unscripdivines were very fallible in their judgments and exceedingly harsh and unscriptural in their conclusions. It is now confidently, and with considerable more complacency than is pleasing to me, asserted that by the unfortunate break of Dr. Briggs, revision has received a blow from which it is not likely soon to recover. If that is the case I am very sorry for it, for if there is anything that needs to be straightened out and pruned, and modified and eliminated, and qualified and reversed, it is that same Confession of Faith in many of its statements.

ments.

Well, so far, all my sympathics were with Dr. Briggs and the stand that he had taken. But when it comes to his inaugural address on the occasion of his installation in the professorship of Biblical Theology last January, I feel a reluctance, as do many of his sincerest admirers, to follow him in his meanderings and dogmatizings, especially since he took it all back in his subsequent categorical replies to the pointed interrogatories of the directors of the same institution.

Before I consent to "spoil the Egyptians" and start forth into the wilderness in search of the promised land I want to be assured that our Moses will not desert us at the Red Sea, just when Pharoah and his hosts have caught up with us. No man makes a good heretic unless he is prepared to stick to his statements through thick and thin, and even give stronger emphasis to them when called give stronger emphasis to them when called to account. To me the strong point in Servetus' favor, when Calvin and his coadjutors had decided to burn him, was that he pro tested with all earnestness against such cruel fate, and expressed his great dread of it, but at the same time assured his relent-

less persecutors that he believed every word which determined his fate; and even amid the flames insisted that he could not believe otherwise.

Had Dr. Briggs declined to recant, and beside, not recanted, as he certainly did in effect when he answered those questions of the directors; and had he, like a man of courage and steadfast convictions, gone boldly to Detroit and confronted his accusers, I verily believe that the vote would not have been so beggarly small in his de-fense, while his admirers throughout the and would have had more heart to stand by Dr. Briggs on the occasion referred to, as his friends generally regard them, or his heretical doctrines, as his most realous op-ponents pronounce them, do not to the orlinary mind present themselves as either very unfortunate nor dangerously hetero-

The fact is, those who have never shown any sympathy with the man or his opinions freely concede that they were capable of being stated intelligibly in language such that not the slightest taint of heresy would at tach to them. That there is a broad de batable territory between orthodoxy and heterodoxy, by reason of the tricks which the English tongue will occasionally prac-tice upon us, is only too apparent from the vexatious controversies which have been waged in ecclesiastical assemblies over the utterances of some unlucky theo-logic wight, which were not pitched in the same key with that in which his inerrant brethren were wont to render them.

The trouble in which Dr. Briggs has in-volved himself was not so much on account

volved himself was not so much on account of any bald heresies uttered by him, but rather because of what his opponents regard as an arraignment of Protestantism, and his ill-tempered attacks upon the accepted teachers of the Church for whose ministry he had been selected to train young men. After having deliberately taken the oath to defend the standards of the Church he seemingly attacked several of its tenets, and in general spoke deprecatingly of attachment to creeds and dogmas. Without going into details, or attempting to defend or refute his statements, they may be briefly summed up as follows:

His Confidence in Reason

In declaring that there were "Three great In declaring that there were "Three great fountains of divine authority—the Bible, the Church and the Reason," his adversaries contend that he treated all these as coordinate, and of equal authority; that any one of them independently could be depended upon to assure one's salvation. He seemed to argue that by the exercise of pure reason independently of the Church or Bible man can find trust and rest in God. He charges Protestantism with substituting for charges Protestantism with substituting for the Word of God "The authority of a Protestant rule of faith," and with "enveloping the Bible with creeds and ecclesiastical de-cisions." All of which seemed out of place in one who was about to undertake to train en for service in the church which stood by these offensive creeds and decisions Then he seemed to his antagonists to un-duly depreciate the attachment which Prot

cuts depreciate the attachment which Protestants in common were wont to manifest toward the Hely Scriptures, an attachment which he styled as "Bibliolatry." As to "Verbal Inspiration," he scouts at the ides, and stands up merely for the inspiration of the "concept," notwithstanding his affirmation that the "Bible was the only infallible rule of faith and practice." As to the augreat mass of the Old Testament was written by authors whose names or connection with their writings are lost in oblivion."

Authors of the Old Tes In opposition to the accepted belief the great mass of the writers and thinkers in the church with which he stands connected, he goes on to declare that "Moses did not write the Pentateuch or Job; Ezra did not write the Pentateuch or Job; Ezra did not write the Chronicles, Ezra or Nehemiah; Jeremiah did not write the Kings or Lamentations; David did not write the Psalter, but only a few of the Psalms; Solomon did not write the Song of Songs, or Ecclesiastes, and only a portion of the Proverbs; Isaiah did not write half of the book that bears his name." Then, in face of the fact that he had just avowed his belief in the infallibility of the Scriptures, he proceeds to arraign his brethren in general for setting up a barrier to keep men away, in the "dogma of the inerrency of Scripture." Eays he: "So far as I can see, there are errors in the Beriptures that no one has been able to explain away," a statement which hardly corresponds with the solemn oath which he had just taken, nor with his answers subsequently made to the directors of the seminary.

As to "Predictive Prophecy," he boldly asserts "Many of these predictions have been reversed by history;" and that "the great body of the Messianie prediction has not only never been fulfilled, but cannot now be fulfilled, for the reason that its own time has passed forever."

Antagonized Church Standards.

Antagonized Church Standards And so I might go on quoting from this address in proof of the fact that however much he might protest his loyalty to the standards of belief of his church, his position was undoubtedly that of open antagonism to the very doctrines to which he had professed adherence.

conism to the very doctrines to which he had professed adherence.

Those who harshly reflect upon the General Assembly for refusing to confirm the appointment of this man, and charge that body with persecuting him for his liberal sentiments, are very wide of the mark in their misstatements. Dr. Briggs is to-day a minister in full standing in the Presbyterian Church, whose functions have not been impaired in the slightest by this action of the Assembly. In the exercise of its authority it has simply declined to confirm his appointment to the Chair of Biblical Theology in Union Seminary, as they had an undoubted right to do by the compact existing between them, on the grounds of his confusing and ambiguous and contradictory statements, which prove him unfit in the estimation of the Assembly to occupy such a responsible position, in which he would be expected to maintain the integrity of the Scriptures and, in addition, that the Confession of Faith should be sincerely received and taught by him "as containing the system of doctrine taught in the Holy Scriptures."

Two Horns of the Dil

Two Horns of the Dilemma.

If Dr. Briggs sincerely believes in the doctrines set forth in great prominence in his famous inaugural address he oughtnever to have backed water, as he seems to have done in his subsequent utterances; or if, as his friends insist, he did not mean to arraign the teachings of his church, nor to assert anything derogatory to the integrity of the standards, then his position is very far from satisfactory to such as sympathize with his criticisms on dogmas which deserved to be axploded a long time ago; while such as cling to these time-honored beliefs are not prepared to hand over to one whose position is so equivocal the preparation of those who are to carry forward the standards of this important wing of the one great army of the living God.

In the midst of peace and the greatest degree of prosperity Dr. Briggs raised this issue and forced its decision upon the highest court of Cthe hurch, and now that it has been boldly met and effectually settled, no intelligent lover of the cause in which this church is engaged has the slightest fears that her onward progress will be impeded in the least, and let it not be forgotten that the friends of revision have yet in Israel multitudes of champions who have not, nor are they in danger, of bowing the knee to Baal.

CHASED RY A HARRAS CORPUS WEIT.

Marshal with a Federal writ of habeas corpus, which, if served, will again delay Cook's removal from Chicago. cook's removal from Chicago. Cook was arrested two months ago on a requisition charging him with illegal banking at Hartford and Juneau. Before the messenger from Wisconsin could take his man out of the State a writ of habeas corpus, issued by Judge Baker, prevented further proceeding. Hearing on the writ was postponed from time to time, and the last argument was not finished until this last argument was not finished until this morning. Judge Baker then remanded Cook to the Sheriff's custody. In obedience to the requisition, that officer gave the man to Deputy Sheriff Pratt, of Wisconsin, and the party at once drove away from the

county building.
Cook's friends hurried to the Federal Cook's friends hurried to the Federal Court, and there obtained another writ. Only 20 minutes after the banker had been hurried away from the Sheriff's office Deputy Marshal Foster came in with the papers. He took a carriage and the chase began. Further particulars of the local prosecution of the Cook case is something of a surprise, for a week ago dispatches from Wisconsin announced that criminal pro-ceedings would be discontinued because Cook had turned over his property to the hank creditors.

WALLER WILL STAY AT HOME.

penses on the Foreign Junket. CHICAGO, June 6 .- Hon. Thomas M.

Waller, it is announced, will not go to Europe with the great World's Fair junketing party. Waller wants to go, but he is not willing to undertake the trip at his own expense. Mr. Waller learned last night from Secretary Foster that the Government

would not pay his expenses.

Mr. Waller is First Vice President of the National Commission, and under the laws of that body he is a national officer. As of that body he is a national omeer. As such he cannot draw a salary for two offices. The Treasury Department rules that the payment of Governor Waller's expenses while abroad is equivalent to paying him so much salary. The diplomatist is unwilling to resign as First Vice President, hence he cannot go to Europe.

AN EMBEZZLER TAPS TWO TILLS.

The Police Clerk of Toledo Victimizes His City and an Insurance Company. TOLEDO, June 6 .- The grand jury this morning reported four charges of embezzle-ment against Police Clerk William H.

Cook, of this city.

Three counts charge him with appre ing city funds to the sum of \$20,000, and the fourth of embezzling \$2,000 belonging to the Equitable Life Insurance Company of New York, while acting in the capacity of agent. Cook is in jail, unable to procure bail.

THE FUNDS GO TO M'CARTHY.

Injunction to Restrain Dillon and O'Brien Money Being Sent Denied. NEW YORK, June 6 .- Judge Bartlett, o the Kings County Supreme Court, rendered Mr. O'Neil to enjoin Eugene Kelly, the Treasurer of the fund raised at the Dillon and O'Brien meeting in this city, from sending the money to Justin McCarthy and others The application for a preliminary injunc-tion is denied.

SICILLIAN awnings, absolutely sun-fast, at Mamaux & Son's, 539 Penn avenue. Tele-

KENSINGTON! Kensington! Kensington!



## THEY NEVER SAY DIE.

Close of Dr. McAllister's Argument for Pittsburg Presbytery.

SILENCE IS SOMETIMES GOLDEN.

Wide Range Allowed a Covenanter if He Keep His Mouth Shut.

THE DEFENSE WILL REJOIN TO-MORROW

As a large number of R. P. ministers were billed to fill pulpits to-day and were excused in consequence, the attendance was light at the Synod yesterday. Dr. McAilister resuming, said the facts had simply been presented in the several cases and it was remarkable that the appellants had admitted that they were guilty of political dissent and non-incorporation. It is admitted that these tenets are correct, but they contend that the Church should not insist on holding them as a term of communion. This As a large number of R. P. ministers that her onward progress will be impeded in the least, and let it not be forgotten that the friends of revision have yet in Israel multitudes of champions who have not, nor are they in danger, of bowing the knee to Baal ER DONEHOO.

CHASED BY A HAREAS CORPUS WRIT.

A Bernarkable Contest in Progress Overa Banker Prisoner.

CHICAGO, June 6.—Banker Charles E Cook, of Juneau, Wis, is being driven across the country through the rain. Following him is a United States Deputy

That they were guilty of political dissent and non-incorporation. It is admitted that the church should not insist on holding them as a term of communion. This makes the line distinct between the Presbytery, going men had, when they were found guilty of following divisive courses, acknowledged their error, it would have ended. The sentence was in conformity with the word as well as the rules of discipline. They say they were only suspended from the ministry of the E. P. Church. We are not allowed to have fellowship with the unfruitful works of darkness, and the Church has made this a term of communion, as much as political dissent and non-incorporation. To deny that there was any evidence of organization among the young men was next to an insult. to the intelligence of Synod. Twenty years ago, in this church, they had taken the oath to stand by the Covenants of the Church, and to-day they were called to face the same question. As to the basis of settlement offered the young men, it is the only one the Church can offer; it is the covenan sworn to in this church 20 years ago, and nere it is in section 3:

> The Oath of Twenty Years Ago. Persuaded that God is the source of all legitimate power; that He has instituted civil government for His own glory and the good of man; that He has appointed His Son, the Mediator, to headship over the na-

son, the Mediator, to headship over the nations, and that the Bible is the supreme law and rule in national as in all other things, we will maintain the responsibility of nations to God, the rightful dominion of Jesus Christ over the commonwealth, and the obligations of nations to legislate in conformity with the written Word. We take ourselves sacredly bound to regulate all our civil relations, attachments, professions and deportment, by our allegiance and loyalty to the Lord, our King, Lawgiver and Judge; and by this, our oath, we are pledged to promote the interests of public order and Justice, to support cheerfully whatever is for the good of the commonwealth in which we dwell, and to pursue this object in all things not forbidden by the law of God, or inconsistent with public dissent from an unscriptural and immoral civil power. We will pray and labor for the peace and welfare of our country, and for its reformation by a constitutional recognition of God as the source of all power, of Jesus Christ as the Euler of Nations, of the Holy Scriptures as the supreme rule, and of the

Christ as the Ruler of Nations, of the Holy Scriptures as the supreme rule, and of the true Christian religion; and we will continue to refuse to incorporate by any act, with the political body, until this blessed reformation has been secured.

Dr. McAllister diverged sufficiently to pay his respects to those who desecrate the first day of the week, not omitting the Postmaster General, and asked if the Church were not in the right in insisting on a conwere not in the right in insisting on a sus-pension of these infractions. The Columbian Exposition also came in for a

touching up.
Continuing, Dr. McAllister said the East
End platform assailed these positions, and
the evidence was before the Presbytery that
the young men had not been faithful to Rev. J. S. T. Milligan raised the point that there had been no evidence on this point before the Synod.

Dr. McAllister Drops the Qu Dr. McAllister said he would drop the Rev. O. B. Milligan objected, saying that he could bring testimony to prove the con-

To this Rev. J. S. T. Milligan objected that no new testimony could be heard.

Dr. McAllister went on to say that he honored the men who had left the Church. They were consistent and the rest of the suspended should have followed their ex-ample and not have remained in it with in-Rev. J. S. T. Milligan suggested the word "reform" for "revolution."

Accepting the correction, Dr. McAllister asked how it was to be reformed. It must

asked how it was to be reformed. It must be done regularly. Overtures should be made and the Church provided means and methods therefore. But individuals proposed to do it, and in the Eighth Street Church three members, influenced by what they have read and heard, exerossed the right to vote at civil elections and had been suspended. He said it was not reform but revolution, revolt and an assault on the R. P. Church. He objected to any reform which abrogated the principles of political dissent and non-incorporation. Dr. Mc-Allister said the accused referred to him as their teacher, and admitted that he had been, adding that he had taught them and studied these principles 25 years and might possibly be obliged to study them 25 years more, and suggested that it might be more modest for the young men to study the

Accused of Schism and Sectarianism.

They had followed him up to a certain point, and decided that beyond that he was wrong. He charged them with schism and sectarianism. It would make the church the same as the United Presbyterian Church, and yet keep the two bodies apart. "Is not that dividing the body of Christ?" Dr. McAllister said he did not propose to fetter any man's thought, but freedom of thought must be restricted in expression; the latter must be balanced by law and must depend on the law regulating the particular subject of expression. He referred to the case of Vallandingham, who was punished, not for his thoughts, but for the expression of them. Anything said to affect the peace and order of government or society to which the speaker belongs is wrong and should be punished, and herein the East End platform offended.

Dr. McAllister said if there were anything wrong in the sermon he had preached 20 years ago or in his course since, he was ready to be libeled. The Church had never changed and the course of the young men alone had brought about this unfortunate state of things.

As to the sentence of Presbytery, if the

Dr. McAllister—I wish to reply to that,

Caused a Small-Sized Tempes Rev. Mr. Thompson-Oh, yes, of course he will decide in your favor.

A number of men rose to their feet and called for an apology from Mr. Thompson, and Prof. D. B. Wilson moved that Mr. Thompson withdraw his remark and apol-

Mr. Thompson said his remark was prompted because Dr. McAllister had said the Moderator would side with him. Dr. McAllister angrily called on Mr. Thompson to repeat his statement, when the latter said: "I may have been wrong,

the latter said: "I may have been wrong, and I withdraw my remark."

In conclusion Dr. McAllister said that he wanted to say that interdenominational courtesy had been violated in this case. Congregations should not have allowed these men to occupy their pulpits, as by so doing they put a premium on law breaking and were discourteous to the B. P. Church and the Pittsburg Presbytery.

Dr. McAllister concluded at 12 o'clock, after a six hours' argument. The accused have a whole week before them when they

after a six hours' argument. The accused have a whole week before them when they commence their rejoinder to-morrow morning. All efforts of sensationalists to give proceedings a lurid tint have failed of late, as both sides have gotten down to their pomace and recognize that they have hard work before them, with a long time between drinks.

Business of the Afternoon Session Yesterday's afternoon session was a short one and devoted to devotional exercises and the consideration of routine business. The letter of resignation from the R. P. Seminary of Rev. Prof. McClurkin and his withdrawal from the R. P. Church was referred to briefly, but left on the table for further consideration. Prof. D. B. Wilson, Chairman of the Committee on Schleith Scheel. man of the Committee on Sabbath Schools, offered a report. It recommended the publication of monthly and quarterly lesson papers by the Central Board, and that the board digest plans to effect this and present them to the next meeting of the Synod. This was amended that a committee of seven be appointed to attend to the matter instead of the board. A motion was carried that seven delegates from the Synod be ap-pointed to attend the National Temperance

pointed to attend the National Temperance Convention to be held at Saratoga in July.

A resolution was offered by Rev.

D. O. Martin, complimenting and thanking Rev. Dr. McAllister in behalf of the Synod for his painstaking care and fruitful labor in collecting and arranging the sacred music of the Church and preparing an index of the Psalma. The resolution was carried.

A number of Presbyterial records were

A number of Presbyterial records were examined, after which the Synod adjourned

A MAN COOKED ALIVE.

He Fell Into a Tank Filled With Boiling Water at an Iron Mill.

(SPECIAL TELEGRAM TO THE DISPATCH.) STEUBENVILLE, June 6:- A horrible ac cident happened at the Mingo Iron Works Friday afternoon, while William Criss and his helper, Albert Gusky, were putting a steel rail through the rolls Back of the roller was a tank filled with boiling water.

roller was a tank filled with boiling water, containing sulphuric acid. Into this tank Gusky accidentally fell, and was completely submerged, except one leg.

"Criss immediately pulled his helper out of his boiling bath, and, with assistance, carried him to a cool water tank. Gusky's sufferings were frightful. The greater part of his body was either burned or literally cooked. His chances for recovery are small.

Come to Kensington Wednesday, June 10.

## HIS HANDS ARE TIED.

Charles L. Davis Declares He Has Nothing to Do With the

MEN EMPLOYED AT HIS THEATER.

His Contractors Hold Him to His Bonds

ALREADY THREATENED WITH SUITS

and He Can't Cut Loose.

Charles L. Davis, "Alvin Joslyn," is a much worried man; so is his architect and his contractor-and, in fact, so is every person concerned in the erection of the Alvin Theater, on Sixth street. It is all owing to the strike. Mr. Davis is worried because he can't get his building erected more rapidly; because he is charged with being inimical to union men, whereas he has, from the commencement, expressed his sympathy and declared his preference for organized workmen; and because he has already been served with notice by Howe & Hummel, the New York lawyers, acting on behalf of the managers of two companies, that they will hold him to his contract to play in his house during the month of September. W. E. Reed, the architect, is wor-ried because everybody else is, and Douglas Heckman, of R. C. Ballinger & Co., who have the general contract, is very wroth be-cause he is falsely accused of seeking to em-ploy non-union workmen and because he will be either sued or have to sue himself if he

does not get his work finished on date. He Has No Show to Dictate.

Was ever anything more preposterous," exclaimed Mr. Davis yesterday afternoon, as he glanced around his unfinished theater, "than the accusation brought against me that I don't want to employ union labort Why, I have no more to do with employing men on this building than the man in the moon, and have as much to say as to who shall or who shall not work here as the policeman on the corner has. I have depoliceman on the corner has. I have de-dared at the start, and reiterate it now, that I wish union men to get the preference of all work on this job. But I have nothing whatever to do with their employment. In this matter I am tied hand and foot. Mr. Heckman here," indicating that gentleman who was by, "has entered into bonds with me for the

"has entered into bonds with me for the fulfilment of this contract, and I don't suppose he is prepared to allow me to interfere with him. In fact, he has told me he will not suffer me to depart from my agreement with him under penalty of a suit for damages for breach thereof."

"I told Mr. Davis," Mr. Heckman interposed, "that I would not allow him to interfere in any way with the progress of the work, and in point of fact as long as we are executing the work to the satisfaction of his architect he has no business here at all. We want to employ union men, and none but want to employ union men, and none but union men, and are working to-day with none but men who are thoroughly union, and when we failed to get men in Pittsburg McCandless & Kinser, the sub-contractors for the brick work, brought on a dozen men belonging to the Bricklayers' Union in Philadelphia, but they were stolen from us when they arrived.

Paying Nothing for Non-Union Men. Paying Nothing for Non-Union Men.

The strikers charge that we sought to bring non-union men here, but that is a false-hood. We have not paid a cent toward bringing any men to the town, and we don't propose to. The Builders' Exchange has guaranteed to see us through this job, and we look to that body to find us union men to do the work. They say they can do it, and we are looking for them; we want no other. We have 40 men working here now, and they are all Pittsburgers, excepting the foreman. Of these 16 are boss bricklayers, and if a master bricklayer employing union journey-

the men on strike came to me about this job I told them that if they would assume the contracts and give bonds for the due per-formance of the work I would take the formance of the work I would take the job from the Builders' Exchange and give it

o them."
"What did they say?" "They said they couldn't furnish the bonds, and so we continued to carry on the work under the guarantee of the Exchange.
This is purely a matter of business. Mr.
Davis is bound to us and we to him, and
we expect he will hold us to our contract
just as we propose to hold him to his. We
shall make every effort to get the work done

"And meanwhile," said Mr. Davis, "look at the position I am placed in. I am charged with keeping union men out of the job and employing scabs, when I have absolutely no power one way or the other. I come into the town, buy a lot, put up a theater at a cost of \$150,000, the savings of a lifetime, cost of \$150,000, the savings of a lifetime, which will give employment to 57 people and benefit the city just so much, and yet am blackguarded and spoken of as if I had perpetrated a crime. I want union men to do the work, and to do it at once, because if I don't open on the 1st of September I shall have to face suits for breaches of contract with managers. I have already been served with two notices by Howe & Hummel that they will hold me to dates for the first weeks in September. I consulted my lawyers as to the possibility of taking the contract away from Ballinger & Co., but they advised me that if I did I would

leave myself open to a big suit for damages. So what have I to do?"

The Bullders' Exchange has pledged itself to see that the Alvin theater is erected on time, and the appearances are that it will.

Mr. Swartz, of the Strike Committee, reported yesterday that all the unions repre-sented in the Carpenters' Council had voted on the question of continuing the strike. Over 1,500 men, Mr. Swartz says, voted, and they were all practically unanim

On Monday, June 15, and morning trains

and return at \$3 each, good for return up to and including Sunday, June 21. Thesu See Display Advertisement Telling about Kensington. Page 10.

of Tuesday, June 16, the Pittsburg and Lake Eric Railroad will sell tickets to Cleveland

Elegant patterns, too. This is lower than you buy 'em elsewhere, but not lower, pro-portionately, than we offer you carpets in ingrain, brussels and velets this week.

J. H. KUNKEL & BRO., 1347-1349 Penn avenue KENSINGTON! Kensington! Kensington

The B. & O. R. R. will sell excursion tickets to Wheeling every Sunday at rate of \$1 50 the round trip. Train leaves depot at

KENSINGTON-Large adv't, third page. UNEXCELLED for flavor-Iron City Brewery's Pilaner Beer. On tap in first-

Free Train Wednesday, June 10, To Kensington. See advt., page 3. HOUSEHOLD goods packed and stored. HAUGH & KEENAN, 33 and 34 Water st.

See large advt. Page 10 to-day